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# GERMAN MILITARY GOVERNMENT OVER EUROPE:
# WESTERN TERRITORIES INCORPORATED IN THE REICH

## Description

An analysis of the political, economic, social, and military controls which the Nazis established for the Government and exploitation of the western territories incorporated in the Reich.

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This study is Part Three, Section Five, I, of the series

GERMAN MILITARY GOVERNMENT OVER EUROPE

the outline of which is as follows:

Part One. Principles and Methods of German Military Government over Europe

Part Two. German Controls in Occupied Europe

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III. Military and Police Tribunals in Occupied Europe
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# I. WESTERN TERRITORIES INCORPORATED IN THE REICH

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# I. WESTERN TERRITORIES INCORPORATED IN THE REICH

## A. INTRODUCTION

Both in the West and in the East, Germany established with certain of the countries over-run by her armies a relationship which had no affinity to military government in a legal sense but yet had certain characteristics rather closely related to it from the point of view of actual administration. Alsace and Lorraine, Luxembourg, Eupen, Malmédy, and Moresnet in the West, and a part of Poland in the East, were all incorporated in the Reich but placed, temporarily or permanently (as in the case of Polish territory), in a status inferior to the ordinary units of the Reich. This status, in fact, bore certain of the earmarks of military government and therefore justifies the inclusion of these territories in a work concerned with the methods of German military government. The purpose of discriminatory treatment of territories drawn into the Reich was that of preserving something of the same freedom of action as in military government towards populations which were in part of non-German stock and which in any case were felt to require a gradual process of purge and Nazification. Moreover, certain of the territories (Alsace, Lorraine, and Luxembourg) bore the additional similarity to military government that they were not formally annexed but merely brought into the administrative entity of the Reich. Only the broad term "incorporated" (eingegliedert) which covers de facto as well as formal annexation, is therefore applicable to all the territories which received this peculiar integration with the Reich.

A characteristic which the territories share

without exception is that there is no clear-cut legal basis for their incorporation. In the case of the incorporated Eastern Territories and of Eupen, Malmédy, and Moresnet, international law forbade the disregarding of the continued existence or unrenounced claims of the state entities to which they belonged. In the case of Alsace, Lorraine, and Luxembourg, German constitutional law itself offered an objection inasmuch as there was no formal act of annexation. While German legal theory found rationalizations in every instance, their obvious weakness was a factor that probably re-enforced the impulse to treat the territories somewhat as foreign areas rather than as ordinary parts of the Reich.

B. ALSACE AND LORRAINE

1. The Juridical Situation of Alsace and Lorraine

a. Sovereignty

Neither Alsace nor Lorraine was ever formally incorporated by law into the German Reich after the defeat of France in 1940. While Prominent Nazi officials made it clear on several occasions that the total integration of these areas into Germany was the goal that had been set, no juridical steps were taken at at any time to effect a formal transfer to German sovereignty, possibly to avoid unnecessary wounding of French susceptibilities during a time of war when French collaboration was required. In point of fact, however, the Germans treated Alsace and Lorraine in most respects as if they had been formally incorporated into the Reich.1/

b. Nationality

Confused juridical status of Alsace and Lorraine was reflected in the nationality problem of the two provinces. The Germans did not accept the population of these territories as citizens of the Reich. "German citizenship," said Adolph Schmidt, Nazi propaganda chief in Alsace," is not given as a present to anyone.... It is a reward for devotion, action, and personal merit."2/

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1/ Wilhelm Stuckart, Nazi constitutional theorist, wrote: "An incorporation on the basis of constitutional law has not yet taken place, since the international relations between the Reich and France were heretofore determined by the armistice agreement. The Reich has, however, given to understand that it considers the reoccupation of Alsace and Lorraine not merely a transitory state of affairs, caused by the losses of war, but as a part of the future final order." (Neues Staatsrecht II (Leipzig, 1943), p. 78.)

2/ Strassburger Neueste Nachrichten, 6 September 1942.

On the other hand, the Germans did not consider the inhabitants of Alsace and Lorraine as citizens of France. In German eyes they were German people but not German citizens.

Soon after the purely de facto annexation certain specified persons in Alsace and Lorraine, mostly former autonomists, were given German citizenship as a reward for services rendered to the Reich. The situation of the vast majority of the people in the two regions was left obscure, however, until the issuance of a Reich "Decree concerning Nationality in Alsace, Lorraine, and Luxembourg."1/ This decree conferred German nationality upon two classes of people in Alsace and Lorraine: (1) those enrolled in the German Army or the Waffen-SS, and (2) those recognized officially as worthy Germans. A kind of provisional German citizenship, subject to cancellation, was made available for other classes of the population in Alsace and Lorraine, provided they were of German origin. The decree seems to have been interpreted differently in Lorraine from in Alsace. Bürckel, Chief of the Civil Administration in Lorraine, declared that the measure automatically and immediately gave German citizenship to all those who had previously been recognized as belonging to "the community of the German people," a category which was considered to include 98 percent of the existing population. However, the newly created German citizens were expected to give evidence of their political loyalty and reliability, and those who did not measure up to the Nazi standards were to be compelled to leave Lorraine. In Alsace the decree concerning citizenship was interpreted much more restrictively, citizenship being granted to individuals only after prior determination in each separate case that the requirements of the law had been met. In fact, it was a notable event when 104 officials

1/ Reichsgesetzblatt, 23 August 1942, p. 533

in Alsace, mostly in the higher grades, were given German citizenship on 12 June 1944.

c. The Introduction of German Law

When the Germans took over Alsace and Lorraine they recognized that the full and immediate substitution of German law for French law would produce confusion in all spheres of life. Hence, they adopted a policy of gradual transition from French to German Law. Criminal law in force in Alsace and Lorraine by the end of 1942 appears to have been substantially the same as that existing in Germany proper. Wagner, the Chief of the Civil Administration in Alsace, signalized this achievement by decreeing a general amnesty for all minor non-political crimes committed before 15 November 1942. According to the Strassburger Neueste Nachrichten, the leading newspaper in Alsace, this amnesty marked the end of the transitional period which had been deemed necessary for the adjustment of Alsace to the new conditions, and for awakening, developing, and strengthening the feeling of homogeneity within the Reich. Following the establishment of the necessary administration and procedures, the newspaper said, every crime in Alsace would be punished according to the provisions of German criminal law.

The pattern of civil law in Alsace and Lorraine was almost completely German by the early months of 1942. The racial and political laws peculiar to the Nazi regime, such as the Nuremberg laws, were made applicable to Alsace and Lorraine soon after the occupation. The main exceptions in the applicability of German laws were in the field of taxation, where certain exemptions and special provisions were made for the two provinces.

2. German Administration of Alsace and Lorraine

a. Administrative Machinery

Until 7 August 1940 the Administration of Alsace and Lorraine was technically in the hands of the German military field commanders. By a decree of that date, Joseph Bürckel, Gauleiter in charge of the Saar and Palatinate, was named Chief of the Civil Administration for Lorraine responsible to Hitler himself, while Robert Wagner, Gauleiter of Baden, was appointed to the corresponding post in Alsace.1/ Actually, however, these men had already exercised administrative control even in the previous period, when Alsace and Lorraine were governed in the name of German military commanders. Though Bürckel proclaimed shortly afterwards that Lorraine, the Saar, and the Palatinate were to form a new Gau, Westmark, neither Lorraine nor Alsace disappeared as a separate administrative entity in the new arrangements. Bürckel continued to issue decrees in Lorraine, in his capacity as Chief of the Civil Administration, and not in his capacity as Reichsstatthalter for the Saar-Palatinate district. Nevertheless, separate administrative identities for Alsace and Lorraine were not always maintained. For certain governmental activities in Alsace and Lorraine the Chiefs of Civil Administration utilized their Baden and Saar-Palatinate staffs. In specific cases, the question whether to set up separate offices for Alsace and Lorraine or to extend the existing services of the central administration in Baden or the Saar-Palatinate to the two provinces, seems to have been determined by administrative expediency rather than principle.

The French administrative divisions in Alsace and Lorraine were replaced by the German system. In Lorraine the eight French arrondissements were abolished on 1 April 1941, and replaced by seven Kreise each headed by a Landkommisar

1/ In the German occupation pattern the office of Chief of the Civil Administration was generally coincident with an intention of permanent incorporation.

(District Commissioner). French law governing administration on the city-town-village level became invalid, 1 January 1941 when the provisions of the German local-government law of 30 January 1935 became operative. The 738 French communes in Lorraine were merged into 357 Gemeinde (communities) which were further grouped under 146 mayors, few if any of whom were native Lorrainees. In Alsace German local government law was introduced in February 1941. Here, as in Lorraine, the new local officials were selected on the "Führerprinzip," (leadership principle) by the personnel office of the central administration.

In both Alsace and Lorraine the police and the judicial systems were completely Germanized. Some of the minor French personnel were retained, but the forms of organization and administration were entirely assimilated to those of the Reich, so that the police and judicial systems in Alsace and Lorraine were indistinguishable from those existent in Germany itself. Propaganda controls, too, were handled in both provinces in a fashion similar to that of the Gaue of Germany proper, there being a Propaganda and Enlightenment Section in Alsace and in Lorraine.

b. Governmental Personnel

Shortly after the German occupation of Alsace and Lorraine all the higher administrative officials were dismissed and expelled from the provinces on the ground that they were too closely identified with France to be assimilable. Many minor officials were deported for the same reason. The remaining civil servants were allowed to continue in office provided they subscribed to a declaration of loyalty to the Führer and the National Socialist state. The Germans apparently preferred to replace expelled officials by native Alsatians and Lorrainers especially in the minor offices but where this policy could not be carried out, officials were imported from Germany,

and particularly from Baden, where the local dialect is similar to that of Alsace. In Alsace, the Germans had some success in enlisting the services of the local inhabitants. Six of the twelve Kreisleiter (District Political Leaders) were Alsatians who had been active in the autonomist movement of the pre-war period. In Lorraine, however, where the Germans found a few collaborationists, almost all the high offices were filled by Germans from the Reich.

Although deportations were extensive, the Germans retained most of the civil servants whom they found in office when they entered Alsace and Lorraine. In fact, they afterward emphasized that over ninety percent of the officials in the provinces chose to accept German rule. The Germans took special measures to assure the loyalty of these native officials. They first instituted a vigorous educational program directed to converting them to National Socialism. The chief instrument of this education was the Party's district schools. One such school for the instruction of Alsatian civil servants was created at Herrenalb, in the Black Forest, and a second at Carspach, in Alsace. The curriculum of these schools, which gave intensive short courses, included such subjects as racial theory, Weltanschauung, and Nazi policy. For village mayors there was a special school near Strasbourg. Although these schools were theoretically voluntary, failure to attend was penalized at the very least by dismissal from one's position. A second method by which the Germans tried to control the civil servants in Alsace was through the use of a highly developed internal espionage system. At least four different kinds of police maintained surveillance over civil servants in Alsace and Lorraine. All such personages were required to take an active role in Nazi political and social activities.

3. Nazi Party Activity in Alsace and Lorraine

a. The National Socialist Party

In both Alsace and Lorraine the Nazi Party was introduced to the population only gradually. The Nazis felt it necessary to lay the foundation for the Party carefully, and, in particular, to rid Alsace and Lorraine of anti-Nazi elements before trying to build up the NSDAP.

The first move of the Nazis in Alsace was to recruit collaborationist Alsatians into a group of "Political Leader Candidates," with a view to forming cadres for the Nazi Party. The Alsatian section of the NSDAP did not come into official existence until the Spring of 1941, when it was formally established after an intensive campaign in which 104 meetings were held and 300,000 copies of the Party program were distributed in the Strasbourg area alone. The NSDAP in Alsace was pushed vigorously by the Nazi leaders, who were eager to show that Alsatians voluntarily and enthusiastically sought membership in the Party. Reliable information indicates, however, that whenever the NSDAP organized a meeting, Alsatians received individual notices with return slips enclosed on which the individual had to state his intention to attend the meeting, or else give a satisfactory excuse for his absence. Unexcused failure to attend was subject to administrative punishment. Through such pressure the membership of the NSDAP mounted rapdily. Many who joined, however, did so through opportunism rather than adherence to the Party's principles, and Wagner the German administrator for Alsace was later forced to admit that the hasty expansion of the NSDAP had permitted undesirable elements to infiltrate not only the rank and file, but also the leadership of the Party.

In Lorraine the Nazi approach was more cautious. When Bürckel took up his work there, he announced that the NSDAP would not be established in Lorraine, but that another organization would be created as the "bearer of the political will" of the Lorraine people. This organization was called the Deutsche Volksgemeinschaft (Community of the German People), and was open to all Lorraine inhabitants who were, by German definition, "of good will," and who wished to acknowledge that they were Germans. Bürckel himself assumed the leadership of this organization, his deputy being a Lorraine quisling named Eugène Foulé. The Deutsche Volksgemeinschaft was organized into 234 local groups. According to its leaders, it attained a membership of 430,000, only a little short of one hundred per cent of the population, a figure which indicates that the Nazis employed their customary pressure tactics in securing members. Not until March 1943 did Bürckel announce the decision to begin the building up of the NSDAP itself in Lorraine. He declared that the success of the Deutsche Volksgemeinschaft had impelled him to take this step, and that after the events of Stalingrad over 10,000 men of Lorraine had sought membership in the party. At the time Bürckel made this announcement, the NSDAP was operating only on a small scale in Lorraine, its membership being restricted to the imported German settlers and officials.

The most important single manifestation of NSDAP activity in Alsace and Lorraine was the annual Party meeting which took place in the capital of each district. Every commune was compelled to participate, and the meeting was preceded by careful preparations on the part of the Communal Party Leader (Ortsgruppenleiter) and the subordinate Party officials such as the Block

Leader (Blokleiter). The district meetings were characterized by the usual Nazi devices for mass propaganda.

b. Nazi-affiliated Organizations

Long before the Nazi Party itself was established in Alsace and Lorraine, various affiliated organizations had begun their work of propaganda and social service. Typical of these organizations was the Hitler Jugend (Hitler Youth), membership in which became compulsory at the end of 1940 for all eligible young males. The Bund Deutscher Mädel was officially launched on 27 April 1941. The Alsatian section of the Nazi SA was founded in Alsace in March 1941, and consisted of two brigades, Elsass Nord and Elsass Süd. The National Socialist Motor Corps, the Winter Help, the Peasants' League, and a host of other Nazi organizations were organized during the same year. The Nazi objective was to enrol every individual in Alsace and Lorraine in at least one Nazi organization. Speaking at Colmar on the third anniversary of the "re-annexation" of Alsace to the Reich, Wagner said that over 500,000 Alsatians of both sexes, or more than half the entire population of Alsace, had joined some Nazi organization.

4. Population Displacement in Alsace and Lorraine

a. Expulsions and Deportations

The German population policy in Alsace and Lorraine had as its objective the creation of frontier provinces inhabited exclusively by politically reliable Germans, as a means of guaranteeing the tranquillity and security of the Franco-German border provinces. The logical consequence of this policy, to the Germans, was the expulsion of all those inhabitants of Alsace and Lorraine who preferred to be French rather than German, or who were by descent and culture French rather than German. The Germans found their task

somewhat facilitated by the fact that large numbers of the population in Alsace and Lorraine had already been evacuated by the French government in 1939 after the declaration of war. Of these about 120,000 refused to return after June 1940, despite the solicitation of the Germans, who for economic and propaganda reasons desired to have them come back. For similar reasons the Germans repatriated prisoners of war who lived in the two provinces. On the other hand, Bürckel and Wagner embarked on a course of ruthless expulsions and deportations soon after they were installed as administrators of Alsace and Lorraine respectively. The Jews were the first to go. On 19 March 1941 Wagner informed a Nazi Party Congress at Strasbourg that over 22,000 Jews had already been deported from Alsace alone. Following the deportation of the Jews, Frenchmen who had arrived in Alsace and Lorraine after 1918 were expelled. The first large wave of deportations from Lorraine came in November 1940. Approximately 70,000 Lorraine inhabitants who were considered too French to be absorbed into the community of the German people were deported to France. Further extensive expulsions from Alsace and Lorraine took place after the introduction of obligatory labor service in 1941, and after the introduction of compulsory military service in August 1942, when the Germans initiated a policy of deporting, usually to the Eastern provinces, the parents of young men who tried to evade conscription for these services. The deportees even in the most favorable circumstances were allowed to take with them only about 110 pounds of baggage and 2,000 francs. The rest of their property was usually confiscated. The expulsions were often conducted with great brutality. French sources estimated

in 1944 that the total number of Alsatians and Lorrainers displaced during the German occupation was 700,000, out of a population of 1,915,000 in 1936. It is probable that this figure includes those inhabitants of Alsace and Lorraine who were evacuated in 1939, as well as the 100,000 men who were conscripted into the German army and labor service. An American source places the total number of persons displaced from Alsace and Lorraine since 1939 at 560,000.

b. Immigration

The loss in population caused by these deportations and expulsions was partially counterbalanced by the immigration which the Germans encouraged. A special effort was made to re-settle those Germans who had left or been driven out of the two provinces after the German defeat in 1918. A numerous group of colonizers was imported to farm the properties from which the French had been expelled. Wounded German soldiers no longer fit for front line duty were given priority in the distribution of these expropriated lands, but there were sufficient farms to take care of additional Germans from the Baltic states and from the East, particularly Bessarabia. Many Reichsdeutsche were sent to Alsace and Lorraine as air-raid evacuees. Only the changing course of the war prevented the fulfillment of the grandiose schemes projected for the systematic colonization of Alsace and Lorraine. Nevertheless, at least 150,000 Germans settled there between the fall of France and the beginning of 1944. Over 125,000 foreign workers, mostly Poles, Italians, and Russians, were also brought into the two provinces.

5. Germanization of the Population

a. The Elimination of the French Language and Symbols

Soon after the fall of Alsace and Lorraine, the

Germans announced through Bürckel that the linguistic frontier between France and Germany was to be shifted so that all of Alsace and Lorraine would be German-speaking. The practical meaning behind this statement was first made clear by the large-scale deportations of the French-speaking inhabitants. However, in Alsace, and to a much greater extent in Lorraine, the desire to prevent an uneconomic depopulation of the territory induced the Germans to permit the continued residence of a considerable number of persons whose culture was French. These residents, however, were subjected to a vigorous program of Germanization. The speaking of French was forbidden to those who also knew German, a warning being issued that those who could speak German but refused were traitors to the German cause and would be treated as such. Publication of French newspapers and books was prohibited. All signs in French were changed over into German. There was a wholesale Germanization of French names of towns. All persons with non-German names were required to Germanize them. Courses in German were organized for those who did not know the language.

The Germans were equally thorough in their other efforts to eliminate French culture. French monuments of a patriotic nature such as that of General Kleber in Strasbourg were destroyed. All emblems of the Third Republic were torn down and replaced by the German eagle. A special office was set up in Alsace for the purging of commemorative architectural works, and under its authority, even inscriptions on gravestones were altered. This Germanization program reached absurd proportions when the wearing of the beret in Alsace-Lorraine was prohibited on the grounds that this headgear was intrinsically French.

b. German Treatment of the Church

In both Alsace and Lorraine the Germans took repressive measures against the Catholic Church, and, to a lesser extent, against the Protestant churches. While this policy did not differ from that followed in Germany proper, the Germans were particularly severe in Alsace and Lorraine because they considered that the churches there were bastions of French culture and influence. Certainly under the French regime the Catholic and Protestant churches played a large role both in Alsace and Lorraine, where the people were generally speaking strongly attached to their religious institutions.

It soon became apparent that the German administration was going to pay little attention to the Napoleonic Concordat of 1801 upon which the favorable position of the church in Alsace and Lorraine was founded. They cut off the subsidies which the state, under the Concordat, was required to grant to the churches in Alsace and Lorraine, and imposed a system of taxation of church members for the support of religion.1/ Over 70 percent of the Catholic clergy, including the bishops of Strasbourg and Metz and 50 percent of the Prostestant clergy were driven from the two provinces. Monasteries and other religious foundations were closed or transformed into Nazi institutions. The cathedral at Strasbourg was secularized and made a museum. The German administration endeavored to avoid the appearance of attacking Christianity as a religion by justifying its measures in terms of the disloyalty of the clergy concerned. The German authorities made especially strenuous efforts, however, to draw the younger generation away from religion, and even issued a decree allowing minors over fourteen to withdraw from

1/ Verordnungsblatt für Lothringen, 8 October 1940, p. 70. The Verordnungsblatt für Lothringen is hereafter referred to as Vbl. Loth.

the Church.1/ The Nazi youth organizations, in which membership was compulsory, customarily held their meetings on Sunday during the hours set aside by the church for prayer and confession. The aims of the German authorities became so obvious that the Vatican itself protested on 4 April 1941 against the deliberate efforts to de-Christianize Alsace and Lorraine.

In an effort to tie the Protestant church in Lorraine closer to Germany and to separate it from the Alsace Synod, it was decreed that the religious bodies formerly associated with the Alsace Synod were to be united in the synod formed by the Saar-Palatinate Protestant churches.2/

c. German Changes in the Educational System

The principal point of friction between the Nazis and the Church was the educational system. Education in Alsace and Lorraine under the French Republic had been conducted primarily on a Confessional basis. The German administration however decided upon a thorough laicization of the school system. In Alsace, educational policy was placed under the control of the Baden Minister of Education, who announced his intention to uproot completely all elements of French education. Under his direction, the schools in Alsace were reorganized and fitted into the appropriate German classifications of primary and secondary schools. The curriculum of the schools was radically transformed, through the introduction of such subjects as the "Diktat" of Versailles, the life of the Führer, the meaning of National Socialism, and racial theories.

Because of the elimination of the clergy, the German administration had difficulty in finding enough qualified teachers. Moreover many of the lay teachers

1/ Vbl. Loth., 11 January 1941, p. 53.
2/ Ibid., 28 September 1940, p. 69.

had been purged for Francophile tendencies. Those remaining were forced to go to Germany for short courses of education in National Socialist doctrine and were compelled to sign a declaration that they would fulfill "unconditionally and with joy" the duties of a German educator and civil servant.

d. Compulsory Service

Neither compulsory labor service nor compulsory military service was introduced in Alsace and Lorraine until after the middle of 1941. Exemption from these obligations had been one of the baits employed by the Germans to win over the people of the two provinces.

Volunteers for the German Labor Service (Reichsarbeitsdienst) were first solicited early in 1941. Compulsory labor service was decreed by Wagner, Chief of the Civil Administration of Alsace, in May 1941 and went into effect on 16 August 1941. The same measure was soon adopted by the German administrator in Lorraine. The decree was extremely unpopular, and many young men tried to escape to Switzerland or unoccupied France. The Germans endeavored to secure enforcement of the act by deporting or arresting as hostages parents of those who tried to escape. The German authorities, despite resistance to compulsory labor service, announced in October 1941 that young men in Alsace and Lorraine were to be granted the opportunity to enlist in the German Wehrmacht and thus give evidence of their truly Germanic character. So few enlistments were received, however, that in August 1942 conscription for military service was decreed. Generalmajor Hitter, who was to command the first contingents of conscriptees, declared in an open letter to all Alsatians: "The Führer has ordered partial mobilization of Alsace only because he wishes to give

Alsatian youth the opportunity to take part in the Reich's great combat, and thus to aid in building the future of their country."1/ The conscription decree provoked a new wave of attempted evasions, but the Germans proceeded methodically to the conscription of Alsatians of military age. By January 1944 all classes from 1911 to 1926, inclusive, had been taken into the German Army, and the enrolment of the 1908-1910 classes was projected.

Probably no other measure did so much to alienate the population of Alsace and Lorraine from the Germans as did the institution of military service. The people of these provinces were hostile to the idea of fighting for Greater Germany and the New Order, especially when that fighting meant being thrown against the Russians on the Eastern front. Casualties there were so high that newspapers in the two provinces were forbidden to publish more than five death notices a day. The conscripts from Alsace and Lorraine showed a strong inclination to desert under fire, and therefore the Germans usually scattered them a few to a company in order that they might better be watched.

6. German Economic Measures in Alsace and Lorraine

a. The Rupture of Economic Relations with France

One of the main objectives of German economic policy in Alsace and Lorraine was to destroy economic relations between these two areas and France. This goal was achieved by the simple method of prohibiting the interchange of goods between France and the two provinces. Though exceptions to this general prohibition could be obtained, the procedures involved were onerous. The Germans offered as reasons for this trade barrier the

1/ La Marseillaise, 18 October 1942.

need to prevent competition with Reich industries and the greater facility offered for adapting the economy of Alsace and Lorraine to the German system. The initial result of this trade barrier was to plunge Alsace and Lorraine into a serious economic crisis; this was probably not unwelcome to the Germans, because the consequent unemployment drove some workers to Germany. In addition, it set the stage for the ostensible economic salvation of Alsace and Lorraine by Germany, later, through the provision of orders and raw materials.

A further measure taken by the Germans with a view to separating Alsace and Lorraine from France was the establishment of the reichsmark in March 1941 as the only legal tender. The reichsmark displaced both the French franc and the German Reichskreditkassenschein, which was an occupation currency. The official rate of exchange set by the Germans was twenty francs for one reichsmark, a rate which caused much discontent in Alsace and Lorraine, where it was believed too low.

b. Integration in the German Economy

In order to tighten their economic grip on Alsace and Lorraine the Germans set up the numerous organizations which were an essential part of the German control system. For example, all agricultural producers and manufacturers of food were required to become members of the Reich Food Estate (Reichsnährstand). A unit for food and price administration was created by the Germans in Alsace and attached to the organization already exisiting for Baden. In Lorraine the food and price administration was integrated with that of the Palatinate. Each of these administrations, directed by District Food Offices in Strasbourg and Metz respectively, was responsible ultimately to the Central Food Estate in Berlin.

In labor regimentation, too, the Reich extended to Alsace and Lorraine the organizations existing in Germany. The German Labor Front (Arbeitsfront) in Baden was enlarged to include Alsace, where Dr. Reinhold Roth was the Gauobmann. For the subdistrict there was a Kreisobmann who named and supervised the Obmann in each factory. The latter was the link between the Labor Front, the employer, and the employee. The Labor Front had charge of such matters as the political education of employers and employees, and was one of the main channels of Nazi activity. Industry and commerce too were brought into the German organizational network through such devices as the creation of an Industrial and Commercial Chamber of Metz, which was attached to the Economic Chamber of Westmark in Saarbrucken.

As a further method of integrating the economy of Alsace and Lorraine with that of Germany, the Nazi authorities gradually introduced the various German laws dealing with economic matters. As early as 20 December 1940, a long list of tax laws applicable in the Reich was declared valid for Lorraine.1/ According to a decree of 26 June 1943, all industrial goods in Lorraine were subjected to the same regulations operating in Germany. With the ordinance of 5 December 1941 concerning the introduction of commercial regulations, German corporation law, with its special provisions and allied rules, came into force. By 1943 the introduction of German tax and commercial laws had, with certain exceptions, been completed.2/ As for Lorraine, the Wirtschafts-Handbuch of 1943 declared: "The integration /of Lorraine/ into the German administrative system has in substance been completed. The measures made necessary for the war

1/ Vbl. Loth., 20 December 1940, p. 443.
2/ Wirtschafts-Handbuch (Frankfurt, 1943), p. 47.

are valid also for Lorraine. The conversion of balances was successfully effected on 31 December 1941. The Commercial Register (Handelsregister) has been set up anew. Tax legislation has been assimilated to a very great extent."1/ Thus by 1943 the legal provisions governing economic organization were essentially the same in Alsace and Lorraine as they were in the Reich itself.

c. Exploitation of Alsace and Lorraine

The Alsace-Lorraine region is a rich land, with well developed agriculture and industry. The Germans were eager to exploit both for the benefit of their war production. They did not strip the two provinces economically as they did France, but limited their efforts to securing maximum production for the benefit of Germany. The farmers were exhorted through incessant propaganda to deliver "even the last litre of unskimmed milk." Industry was reorganized and reoriented to contribute to the German war machine. Textile factories, for example, were converted to war work. Some of the methods of large-scale farming were inaugurated, particularly in Lorraine under the auspices of Ostland, a German organization for colonization and agricultural exploitation. More intensive use was made of existing metal-working factories, and new plants were built for the manufacture of war matériel. One such new factory, the Hobus Werke, near Metz, was reported in 1943 to employ about 3,000 workers. Despite the strenuous efforts of the Germans to extract everything possible from the productive capacity of Alsace and Lorraine, results were not completely satisfactory. Typical of numerous German complaints was the statement made in January 1942 by Dr. Heinrich Maier, head of the

1/ Ibid.

Economic and Agricultural Administration in Strasbourg to the effect that Alsatian industry had not yet adapted itself sufficiently to the needs of the German Reich, and that a number of plants were continuing to turn out products of no value to the German war effort. The German administration doubtless did not cease its efforts to secure maximum production.

d. Transfers to German Ownership

The Germans employed several different techniques for securing ownership and control of resources in Alsace and Lorraine. During the first days of occupation, when the two provinces were in a deep economic depression, the Germans deliberately denied both raw materials and labor to industries which they coveted. When stocks and bonds of these idle companies had depreciated sufficiently in value, the Germans bought them, reopened the factories, and issued propaganda to the effect that the native owners had been willing to leave the factories closed and the workers unemployed, whereas the Germans were seeking to rebuild Alsace and Lorraine.

One of the most common methods by which the Germans obtained ownership of property in Alsace and Lorraine was that of simple confiscation, on the ground that the property in question belonged to enemies of the Reich. This latter category included, by decree, political groups, secret organizations, and all Jews. In Alsace, according to the ordinance of 6 August 1940, commissioners could be nominated by the German administration to take charge of and liquidate all confiscated properties and enterprises. All the laws covering this type of procedure were revised and grouped in an ordinance of 16 December 1941. According to one German source over ten thousand companies in Alsace

alone were affected by these confiscatory decrees. One of the most profitable operations of this type was the sequestration and liquidation of French insurance companies. Those insured with such companies were simply told to re-insure themselves with German concerns. Confiscation was also employed to obtain possession of farm properties left behind by deportees. After the confiscation of such farms, German settlers were given duly notarized certificates of ownership.

Another method which the Germans employed, particularly in heavy industry, was the institution of "trustee" regimes. By this method the large iron and steel companies of Lorraine were placed under the management of selected German firms, many of which had previously had interests in Lorraine that were liquidated after Germany's defeat in World War I. At first the German firms acted merely as managers for the German government, but as of 1 March 1941 they assumed financial responsibility for the companies under their trusteeship. It does not appear that changes in ownership were legally effected. It was announced, however, that after the war each trustee would probably buy the plants under his control. Among the German firms which obtained important holdings in Lorrainewere the Herman Göring Werke, the Flick Concern, and the Klöcknerwerke.

C. LUXEMBOURG

1. The Governmental System

Luxembourg was the only country under enemy occupation absorbed in toto into the Reich. This absorption, however, was not achieved by formal annexation, as in the case of Western Poland or Danzig, but was achieved gradually by establishing a German "Civil Administration" which, as in the case of Alsace and Lorraine, was to amalgamate the country with the political, economic, and cultural system of Nazi Germany.

After a short period during which the Grand Duchy was placed under Military Administration, civil administration was created with the appointment by Hitler, on 2 August 1940, of a Chief of Civil Administration, who was to be responsible directly to Hitler and to exercise all power in Luxembourg in his name. Gustav Simon, a Saar German and old fighter in the Nazi movement who had become Gauleiter of Party Gau Koblenz-Trier, was entrusted with this position. He immediately asserted that Luxembourg was historically, racially, and culturally German and that his task was therefore to take all measures suitable for re-uniting the country with the Reich.

Existing political institutions and organizations of the country were therefore abolished and dissolved. The Grand Duchess and her Government were declared to have forfeited their authority; the Luxembourg constitution was declared no longer in force; the chamber and the council of state were abolished as institutions; political parties, except the Nazi Volksdeutsche Bewegung (see D 5) were dissolved and any attempt at their revival was put under severe penalty; officials were informed that they owed loyalty to the German authorities; and even the use of the words "Grand Duchy" or "country" for Luxembourg was forbidden.

2. Adminstration, Local Government and the Civil Service

Administratively, the country was adapted to the system prevailing in the Reich. It was divided into four Kreise: three of them, Esch, Diekirch, and Grevenmacher, corresponding to the former districts, were established as rural counties (Landkreise), under a Landrat. The city of Luxembourg, which formerly had been outside the district system, was established as a city county (Stadtkreis), under a Lord Mayor (Oberbürgermeister). In accordance with the system prevailing in neighboring Rheinprovinz, these counties were divided into Aemter, which comprised a number of small rural communities and were headed by Amtsbürgermeister. The introduction of the German municipalities law into local government meant the introduction of the leadership system everywhere. Existing representative elective bodies were abolished. Reich German Nazis were put into the more important positions, such as the Landrat and mayors of larger cities, while for smaller and less important positions native collaborators were used. All mayors and associates had to be newly appointed up to 1 April 1941. German administrative law was gradually introduced, and native officials taken over by the Nazis were trained in the new principles and methods. The law concerning the appointment and dismissal of civil servants was assimilated to that prevailing in the Reich, so that, depending on ranks and functions, Hitler himself, the respective Reich Minister, or the Chief of Civil Administration, appointed and dismissed officials. A special disciplinary court appointed by the Chief of Civil Administration was created to try those civil servants who violated the duties resulting from their new status as officials owing loyalty to the Reich.

3. Law, Courts, and the Judiciary

Law valid in the Reich was gradually introduced into

Luxembourg, and eventually most fields had been adapted to the German legal system. First to be introduced were laws in the fields of economy, finance, taxation, and what may be called the political law of the Nazi regime, such as anti-Jewish legislation, or laws dealing with political crimes. Later such parts of the law as German marriage and divorce law or general criminal law were imported.

The court system was amalgamated with the Reich system immediately. The courts of the justices of the peace were transformed into local courts (Amtsgerichte), county courts into German district courts(Landgerichte); the Luxembourg Supreme Court was abolished and in its stead a chamber (Senat) of the Cologne court of appeals was established at Luxembourg. The system of juries and lay judges was abolished. A Special Court was created to try "political crimes" in a broad sense. It was composed of three members.

Any German qualified to hold office in the judiciary was declared qualified to hold office in Luxembourg, and many members of the German judiciary were imported into the country. The thoroughness of the purge of the Luxembourg judiciary can be seen from the fact that late in 1943, out of 42 magistrates of the supreme court and the two county courts, only eight were still in office. The Luxembourg bar was likewise purged and gleichgeschaltet. Admission to the bar was made dependent on the consent of the Chief of Civil Administration, and attorneys-at-law were required to exercise their profession as "good Germans." Those found non-co-operative were deported to Germany and put to menial work. The extent of resistance can be gauged from the fact that in 1943, out of 125 members of the Luxembourg bar, only five had been left in office.

4. Police and Terror

The police was put under the command of the Chief of

Civil administration, who, in turn, came under the jurisdiction of the higher SS and Police leader of the Corps Area XII, residing at Wiesbaden. The local police authorities, among them the police direction in Luxumbourg, operated under the Chief of the Civil Administration. The German rules, administration, jurisdiction, and procedures in police matters were introduced by the decree of 17 November 1940; 1/ however, no legal remedies were admitted for orders and decisions of the police and other administrative authorities.

German police methods followed the usual pattern. On 28 August 1940 2/ all private organizations were put under the supervision of a Special Commissioner with extensive rights to reorganize all associations. On 5 September 1940 the Nuremberg laws and the other anti-Jewish legislation were introduced; the Jews were made to share the fate of their co-religionists in Germany: they lost their jobs and property, being forced to emigrate or being shipped to Poland. 3/ The ideological Gleichschaltung was to be facilitated by the prohibition against listening for foreign broadcasts which was introduced on 16 September 1940. 4/

The population, although at first stunned, did not submit willingly, and, especially when compulsory conscription was introduced in 1942, strikes broke out, a state of emergency had to be proclaimed in parts of the country, and deportations were started to break the spirit of resistance. Two categories of inhabitants were affected by this wave of deportations: (1) those who were suspected of being active in the resistance against the policy of Germanization, and (2) the families of the numerous draft dodgers and deserters.

1/ Verordnungsblatt für Luxemburg, p.335. The Verordnungsblatt für Luxemburg is hereafter referred to as Vbl. Lux.
2/ Ibid., p. 8.
3/ Vbl. Lux., pp.4,16.
4/ Ibid., p.14.

To some extent Volksdeutsche, especially South Tyroleans, were brought in to replace the deported population and to carry through the policy of Germanization.

5. Citizenship

From the very beginning, German propaganda contended that the inhabitants of Luxembourg were to be German. For purposes of cultural propaganda, Professor Kratzenberger had already been put at the head of a seemingly harmless Luxembourg society for German Literature and Art in 1934. This society, which had kept close contact with the branches of the NSDAP, was reconstituted immediately after the invasion as the Volksdeutsche Gruppe, and later, in June 1940, as Volksdeutsche Bewegung. It was utilized as a lever for the political education of the inhabitants and as means for transforming them into German subjects. Official pressure was exercised to incorporate the inhabitants, especially the officials who wanted to remain in their jobs and all those who had to rely on the Germans to carry on in their trade or profession. The organization played a role somewhat akin to that of the NSDAP in Germany proper. Numerous special advantages, like supplementary payments for children, were given to those who were ready to "defend the folkdom."

This propaganda effort remained largely ineffective. When a census was held in 1941, 98 percent of the population inserted Luxembourg when asked for their folkdom (Volkszugehörigkeit) and Letzeburgsch as their mother tongue. The census was therefore declared invalid. Yet, as the German Army needed new recruits, it became imperative to assimilate the inhabitants more closely with the German administration. Together with the conscription of the classes of 1920-24 went the bestowal of German citizenship, not only upon the new recruits but also upon those policemen who had taken the oath of loyalty to the Führer, and those members of

the VDB who had been found worthy to become members of the NSDAP. 1/ All other inhabitants of Luxembourg, insofar as they were Racial Germans, were granted a newly created second class of citizenship, as of 1 December 1942, revocable within ten years. 2/

Besides compulsory service in the Army, mainly at the Eastern Front, Luxembourgers also served in the NSKK, SS, and SA. As long as service was halfway voluntary, however, the number of volunteers remained rather small.

6. Culture

The process of cultural Gleichschaltung, starting in 1940, was immediately directed at eradicating any trace of the French language. The use of the German language was made mandatory in all official transactions, as well as for all public displays, on 14 September 1940.3/ The German dialect spoken by the population was forbidden for official and public use. Family and first names underwent a compulsory Germanization by decree of 31 January 1941 4/ and the names of localities followed on 12 March 1941.5/ Even the beret, symbol of attachment to France, which was widely worn as an expression of silent protest, was officially banned by a decree of 14 February 1941. 6/ The school system was remodelled according to the Nazi pattern; election of teachers was abolished by decree of 1 October 1940. 7/ The German Hauptschule was introduced by decree of 1 January 1941. 8/ The organization of the Hitler Youth was vigorously pushed and attendance

1/ Decree of 23 August 1942, RGBl., I,533.
2/ Stuckart, and Schiedermair, Neues Staatsrecht (Leipzig 1943), II, 82.
3/ Vbl. Lux. p. 14.
4/ Ibid.,p. 146.
5/ Ibid.,p. 148.
6/ Ibid, p.106.
7/ Vbl. Lux., p. 241.
8/ Ibid., p. 18.

at HJ camps was made compulsory for boys between sixteen and nineteen.

The dominant Roman Catholic Church was treated rather roughly. A number of monasteries were requisitioned. Religious teaching in the schools was abolished, and many priests, among them the Vicar General of the Diocese of Luxembourg, were arrested and deported. Withdrawal from religious congregations and orders was facilitated by a special decree of 9 December 1940,1/ and a Nazi campaign encouraging people to leave the Church was supported by a decree forbidding the publication of lists of those who had done so. 2/

7. Economic and Financial Controls

German economic and financial regulations, such as currency regulations 3/ price regulations, 4/ customs and tax laws, 5/ were speedily introduced. To handle the economic task, food and economic offices were established in November 1940. 6/ The Luxembourg Chamber of Commerce was transformed into a German Chamber of Commerce. R. Meyer, managing director of the Arbed, the most important steel enterprise of the country, who had chosen to co-operate closely with the Germans, was appointed its President. Through Meyer's collaboration, the Gleichschaltung of the Arbed came off easily. The other steel enterprises Hadir and Ougrée-Marihaye, which had been dominated by the French and Belgians before the occupation, were integrated into the existing German industrial empires, the Hadir being taken over directly by the Vereinigte Stahlwerke. The mining companies were amalgamated in 1942 under German control into a new company; the two main railroad

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1/ Ibid., p. 377.
2/ Ibid., 9 December 1940, p. 378.
3/ Vbl. Lux., 27 August 1940, p.6.
4/ Ibid., 28 August 1940, p. 8; 30 September 1940, p. 21.
5/ Ibid., 30 September 1940, p. 17; 18 November 1940, p. 338; 25 November 1940, p. 347.
6/ Ibid., 16 November 1940, p. 295.

companies, the Prince Henry Co. and the William Luxembourg Co., were taken over.

8. Labor Controls

From the beginning the Germans were eager to recruit as much labor power as possible from Luxembourg. The 80,000 Luxembourgers who had fled to France were speedily repatriated and many Luxembourgers found jobs in Germany. Salaries were raised to the German wage level through a general raise of 45 percent to make up partially for a greatly increased price level. 1/ Labor and social insurance laws were quickly adapted to the German system. 2/ In January 1941 the trade unions and benefit societies were dissolved and the workers enrolled in the German Labor Front. The extremely unpopular German Labor Service was introduced in June 1941. Toward the end of 1942 the labor and production drive was stepped up considerably. Labor controls were tightened. The prerogatives of the Labor Office were increased to discourage connivance between employers and employees in withdrawing labor from the market. In February 1944 the disciplinary powers of the leaders of the enterprises were increased. Labor discipline seems, however, to have varied considerably from factory to factory, depending on the degree of co-operation which the Germans were able to get from the proprietor. In spite of long working hours, output generally remained low because of the difficulty of securing adequate supplies of coke and iron, and the go-slow policies of the workers.

9. Agricultural Controls

German control was quickly extended to agriculture. Farmers were compelled to hand over fixed quotas of their

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1/ Vbl. Lux., 28 September 1940, pp. 17-19; 1 October 1940, p.21.
2/ Ibid., 30 September, 18 November, 13 December 1940, pp. 221, 241, 319, 411.

produce to the authorities, and marketing was subjected to various restrictions and regulations. The Bauernschaft Luxembourg, which had replaced the former Chamber of Agriculture, was invested with wide supervisory functions in April 1941. In October 1943 the peasants were formally incorporated into the Reichsnährstand. Their response to the German production drive and to the agricultural controls was, however, often unsatisfactory and the special courts were kept busy handing out increasingly severe sentences for black market offenses.

D. EUPEN, MALMEDY, AND MORESNET

1. History Prior to the German Occupation

The Belgian territories of Eupen, Malmedy, and Moresnet were formally annexed and incorporated into the Reich. Eupen and Malmedy had belonged to Germany prior to the World War, but Moresnet was in a peculiar position, due to the fact that the Vienna Congress Act had left the regulation of the boundary between Prussia and the Netherlands in doubt. By subsequent agreement between these two countries (Belgium later succeeding to the place of the Netherlands) the area in question was divided into three parts, one falling to Netherlands (Belgium), another to Prussia, and a small portion remaining under joint government (condominium) of the two states with the agreement that neither would occupy it militarily. This third part was hence called "Neutral Moresnet."

By the Treaty of Versailles, Germany ceded to Belgium Neutral and Prussian Moresnet as well as Eupen and Malmedy. As far as the latter territories were concerned, the Treaty provided that the inhabitants, within a period of six months after its coming into force, should have an opportunity to express a desire to see the territories remain with Germany. This procedure did not constitute a genuine plebiscite, since it provided for only a one-way declaration, to be made by registering in open lists without international supervision. Although only 271 persons entered their names in the lists during the six months period, the Council of the League of Nations, which under the Versailles Treaty had been entrusted with the final decision, rejected German claims that the result had been obtained by pressure and intimidation, and confirmed the cession of Eupen-Malmedy to Belgium. 1/

1/ For details see S. Wambaugh, Plebiscites since the World War (1933), I, 518ff.

2. The Decree of Incorporation

A few days after the invasion of Belgium, on 18 May 1940, a Führer-Decree 1/ proclaimed that the territories of Eupen, Malmedy, and Moresnet, "illegally" ~~wrought~~ wrung from Germany, were reunited with the Reich. 2/ They were incorporated into the Prussian Province of Rhineland (Rheinprovinz) and its Government District of Aachen. By decree of 23 May 1940 3/ the boundaries were determined in detail. The decree further stipulated that inhabitants of German of related blood should acquire German citizenship according to later detailed provisions, and that all Reich and Prussian law should in principle become valid in these territories on 1 September 1940. The Reich Minister of the Interior was made central authority for putting the incorporation into practice.

3. Law and Courts

On the basis of these regulations the territories were amalgamated with the Reich. German local government and municipal law was introduced 4/ with the provision that all mayors and associates must be newly appointed before 1 April 1941. The territories were made to form two rural districts (Landkreise), Eupen and Malmedy. The German court system was introduced 5/ with the establishment of local courts (Amtsgerichte) at Eupen, Malmedy, and St.Vith, which were put

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1/ RGBl. I, 777.

2/ The German legal theory of the incorporation was a strained one justifying it by allegation of former possession and innate connection with Germany:

> In evaluating the Edict of the Führer and Chancellor on the Reunification of the Territories of Eupen, Malmedy, and Moresnet with the German Reich of 18 May 1940, from the point of view of international and municipal law one has to consider that they are territories which have been illegally torn away from Germany and which were always innately connected with Germany. There was, therefore, no reason to treat these as occupied enemy territories...."
> (Wilhelm Stuckart, Neues Staatsrecht (Leipzig, 1943), II, 121.)

3/ RGBl. I, 803.

4/ RGBl. I, 1301, Decree of 23 September 1940, RGBl., I. 1301.

5/ Decree of 29 July 1940, RGBl., I, 1059. Concerning labor law courts see decree of 19 September 1940, RGBl. I, 1932.

under the jurisdiction of the district court (Landgericht) at Aachen and, for cases in which the Belgian Cour de Cassation had been competent, that of the Appeal Court at Cologne. It was stipulated that incumbent judicial personnel "might" be further employed. A decree of 3 September 1940 1/ regulated in detail the rules governing the transition from Belgian to German law, particularly in the sphere of private law, commercial law, and the law of procedure, It was provided that Belgian court orders and decisions should be recognized only if they were not counter to the rationale of German law.

4. Citizenship

Citizenship of the inhabitants of the annexed territories was regulated in detail by decree of 23 September 1941. 2/ All persons except Jews and gypsies who had acquired Belgian citizenship by the cession of the territories to Belgium now acquired full German citizenship. Other inhabitants possessing Belgian or no citizenship, provided that they were "racially German," received revocable German citizenship, implying that the acquisition of citizenship could be revoked within ten years in case the person acquiring it should not prove to be a good German.

5. Nazification

Incorporation of these territories meant also full Nazification. To mention only one example, all existing organizations of employers and employees were dissolved and the German Labor Front succeeded to their rights and assets. 3/

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1/ RGBl., I, 1222.
2/ RGBl., I, 584.
3/ See decree of 8 July 1942, RGBl., I, 447.